

October 6, 2020

MEMORANDUM

SUBJECT: Management Alert: Prompt Action Needed to Inform Residents Living Near Ethylene Oxide-Emitting Facilities About Health Concerns and Actions to Address Those Concerns Report No. 20-N-0128 - Follow-up to October 2, 2020 meeting

FROM: Anne L. Austin, Principal Deputy Assistant Administrator

TO: Sean W. O'Donnell, Inspector General

CC: James Hatfield
Renee McGhee-Lenart
Katie Butler

Thank you for meeting with us on October 2, 2020, to discuss your concerns with the Agency's May 15, 2020 response (as updated on August 7, 2020) - including our proposed corrective action plan - on the Management Alert: "Prompt Action Needed to Inform Residents Living Near Ethylene Oxide-Emitting Facilities About Health Concerns and Actions to Address Those Concerns," Report No. 20-N-0128 (March 31, 2020).

As we discussed in our meeting, the Office of Air Radiation has reviewed and revised the Agency's proposed corrective action plan. Specifically, we have rewritten the plan to ensure that it reflects more punctual and more interactive (i.e., two-way) risk communication with affected communities. Please note that we intend to explore a wide variety of communication tools (including virtual webinars and virtual workshops), recognizing that the appropriate first step is always to talk with local government officials and community leaders to determine what form of outreach will be most effective and most welcome.

We respectfully ask for a prompt response (no later than the end of this week), so we do not lose additional time moving into implementation of this important work.

Part 1. Conduct additional, more refined investigation of risk

a. Regions 2, 3, 4, 5, 7 and 8 (15 facilities/areas)¹

Milestone: Technical work has already been conducted or is well underway for these facilities/areas, including updating information on emissions, air quality impacts, and risks. EPA will post regular quarterly status reports on these additional, more refined investigations to the Agency's/Regions' Ethylene Oxide website(s) beginning October 30, 2020. Each status report will provide a summary of the work completed (including, as

¹ The facilities/areas referenced in this corrective action plan are those identified in Appendix A of the March 31, 2020, Management Alert.

appropriate, updated risk information) and the work planned for each area, along with relevant milestones and dates.

b. Region 6 (nine facilities/areas)

Milestone: EPA Region 6 has begun work with the states of Texas and Louisiana on facility/area-specific technical assessments. Information about the assessments will be posted to the Agency's/Regions' Ethylene Oxide website(s), beginning October 30, 2020 and continuing with the future regular quarterly progress reports. Each status report will provide a summary of the work completed (including, as appropriate, updated risk information) and the work planned for each area, along with relevant milestones and dates.

c. Regions 2 – 8 (24 facilities/areas)

Longer-Term Milestone: Additional, more refined investigations of risk have already been conducted for the 1 facility in Region 2, 3 facilities in Region 4, 4 facilities in Region 5, 2 facilities in Region 7 and 1 facility in Region 8. Region 3 is working with West Virginia on analyses of emissions from three chemical facilities in that state, which the Region estimates will take up to three months to complete. In Pennsylvania, the commercial sterilizer in Allentown has installed additional controls. In Region 6, EPA will work with the states of Texas and Louisiana to conduct additional, more refined investigations of risk for the 9 facilities in Region 6 as expeditiously as possible, but no later than May 31, 2021. Note, these more refined investigations of risk will be conducted and completed on a timely, rolling basis with the expectation that investigations for many facilities may be completed well before May 31, 2021.

Part 2. Conduct outreach to affected communities

a. Regions 2, 3, 4, 5, 7 and 8 (15 facilities/areas)

Milestone: Public outreach (including interactive outreach) has already occurred or is planned for these facilities/areas. Any additional outreach for these facilities/areas should proceed as planned and as appropriate – in accordance with local directives related to COVID-19. EPA will post regular quarterly status reports of outreach activities to the Agency's/Regions' Ethylene Oxide website beginning October 30, 2020. Each status report will provide a summary of the outreach completed (including, as appropriate, updated risk information) and the outreach planned for each area, along with relevant milestones and dates.

b. Region 6 (9 facilities/areas)

Milestone: EPA Region 6 will work with the states of Texas and Louisiana to explore appropriate communication tools and assist the states in developing facility/area-specific outreach information. Descriptions of this work will be posted to the Agency's/Regions' Ethylene Oxide website(s) beginning October 30, 2020, and continuing with the future regular quarterly progress reports. Each status report will provide a summary of the outreach completed (including, as appropriate, updated risk information) and the outreach planned for each area, along with relevant milestones and dates.

c. Regions 2 – 8 (24 facilities/areas)

Longer-Term Milestone: Public outreach (including interactive outreach) has already been conducted for the 3 facilities in Region 4, 4 facilities in Region 5, 2 facilities in Region 7 and 1 facility in Region 8, and will be summarized in the October 30, 2020, progress report. Region 2 was forced to cancel a planned in-person public meeting in Puerto Rico because of COVID-19 and is reworking its outreach plans. In Region 3, West Virginia has requested that the Region take the lead in community outreach; the Region expects to begin outreach by sharing the findings of technical analyses once that work is complete (in up to three months). In Pennsylvania, the state has been the lead on addressing ethylene oxide from the Braun facility (see item c). In Region 6, EPA will support the states of Texas and Louisiana in conducting and completing initial public outreach for the 9 facilities/areas as expeditiously as possible, but no later than May 31, 2021. For all areas, we will support the states in outreach that provides interactive (i.e., two-way) risk communication with affected communities. Additionally, we will consider a wide variety of communication tools (including virtual webinars and workshops), recognizing that the appropriate first step is always to talk with local government officials and community leaders to determine what form of outreach will be most effective and most welcome. Note, this public outreach will be conducted and completed on a timely, rolling basis with the expectation that outreach for many facilities/areas may be completed well before May 31, 2021.